

DISTRICT JUDGE'S CIVIL MINUTES
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA – PHOENIX

U.S. District Judge: Susan R. Bolton

Date: December 14, 2023

Case Number: CV-19-05217-PHX-SRB

C.M. et al v. United States of America

APPEARANCES: Plaintiff(s) Counsel

Defendant(s) Counsel

Emma Curtis Winger (Zoom)
Erik Christopher Walsh (Zoom)
David B. Rosenbaum
Diana E. Reiter (Zoom)
Trina Realmuto (Zoom)
Lucy Sarah McMillan (Zoom)
BriAnne Nichole Illich Meeds

Philip Davis MacWilliams

SCHEDULING CONFERENCE:

10:40 a.m. This is the time set for a Scheduling Conference.

Discussion is held regarding trial logistics, including whether this case and the related case, CV-20-00065-PHX-SRB, will be tried together, and the timing for same. After hearing from counsel about the estimated length of trial of liability only, the Court orders that the issues of liability and damages will be severed for trial purposes.

IT IS ORDERED setting this case and the related case, CV-20-00065-PHX-SRB, for a Bench Trial on the issue of liability only to commence on **Tuesday, April 23, 2024, at 9:00 a.m.** in Courtroom 502 before Senior Judge Susan R. Bolton, 401 West Washington, Phoenix, AZ 85003. The Court has tentatively set aside trial days through May 17, 2024, although specific trial days during each week of trial will be confirmed at a later date.

IT IS FURTHER ORDERED setting a Final Pretrial Conference on **Tuesday, April 16, 2023 at 10:00 a.m.** (time allotted: one hour).

IT IS FURTHER ORDERED that the Joint Proposed Pretrial Order, pertaining to the liability, shall be lodged no later than **Tuesday, April 9, 2024**. No motions in limine will be permitted. Trial Memoranda shall be filed no later than April 9, 2024.

At the request of counsel, **IT IS FURTHER ORDERED** setting an interim Pretrial Conference on **Tuesday, February 27, 2024 at 10:00 a.m.** (time allotted: 30 minutes).

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Defense counsel inquires as to whether *Daubert* motions related to Plaintiffs' damages expert should be filed at this time. The Court directs that such motions not be filed at this time and the Court will set a date for the filing when the damages phase of the case is scheduled.

With regard to Plaintiffs' transcript requests for depositions taken in related cases which Defendant opposes, counsel is directed to file a motion. Counsel are advised that any confidentiality concerns as to these requested transcripts shall not be briefed as the current Protective Order sufficiently resolves any such concerns.

The Court also inquires about the status and likelihood of settlement.

11:10 a.m. Matter concludes.

Deputy Clerk: Elaine Garcia/Kathy Ballard
Court Reporter: Scott Coniam

Total: 30 minutes
Start: 10:40 AM
Stop: 11:10 AM